



Major Comments Summary

Clean Air Act Task Force

June 5, 2006

Public Meetings on
Federally-Mandated Rules:

CAIR RACT BART



Public Meetings – CAIR/RACT/BART

- DNR Air Program Public Meetings on March 29, April 5 and April 6
- Presented 2 Primary Options to address CAIR and indicated preliminary directions for the RACT & BART programs
- Solicited technical comments on the general approaches and on the details of NO_x emission credit allocation structures for CAIR



Initial Basic Approach– CAIR/RACT/BART

- Separate response to CAIR Program requirement from full attainment plans
- Craft RACT and BART in legally-grounded fashion and not directly linked to attainment level (RACM) controls
- Formulate the Wisconsin CAIR program to provide access to EGUs to operate within the federal emission allowance trading programs
- Formulate and present for comment 2 options on the control program interaction between CAIR, RACT and BART mandates



Who Commented?

- Alliant Energy
- American Wind Energy Association (AWEA)
- Calpine Corporation
- Dairyland Power Cooperative
- Manitowoc Public Utilities (MPU)
- SC Johnson & Son, Inc.
- Thilmany Paper
- Wisconsin Division of State Facilities (DOA)
- WE Energies
- Wisconsin Manufacturers and Commerce (WMC)
- Wisconsin Paper Council (WPC)
- Wisconsin Utilities Association (WUA)



Major Stakeholder Comments regarding Initial Basic Approach Options

- **Yes** – Separate WI CAIR program and the NOx RACT and statewide BART program from the comprehensive ozone and regional visibility plans
- Pursue an option for the WI CAIR program that is not tied to the explicitly to meeting NOx RACT and BART for EGU facilities
(eg -Do not pursue Option 2)
- Consider a new Option (3) that would allow the state EGUs to bypass NOx RACT and BART for units otherwise subject to those requirements
- In crafting any approach, keep the allocation structures simple, understandable and within the bounds provided for under a federal trading program
- For some stakeholders this means the EPA model, for others it means a more equitable and straightforward structure that is fuel neutral and aligns with other state energy policies



Scope of Additional Major Comments

- **CAIR** – Comments regarding specifics of the allocations and the allocation approaches – mostly regarding NO_x
- **RACT** – Comments regarding geography and cost-effectiveness boundaries of the program
- **BART** – Comments regarding the approach for modeling/assessing the individual facility liability to a BART determination
- **Regional Modeling** – Comments and questions regarding the technical and policy underpinning of the Regional Ozone, PM-2.5 and Visibility modeling efforts – especially in regard to assessments of attainment in 2009 and 2012



Other Comments

- CAIR – Utilize a rule approach that speeds adoption and EPA approval
- Outreach and Information – Keep us informed
- EGUs – Include our expected CAIR control installations in the regional modeling
- Coal EGUs – Like model because not fuel neutral and more permanent emission credit baseline



General Responses

- **Basic CAIR/RACT/BART Approaches** – Next Presentation
- **CAIR** – Will discuss a refined option that does not address RACT or BART- plan to bring a draft for NRB hearing in August
- **NOx RACT and BART** – Still pursuing RACT program evaluation for WI, plan to bring refined proposals to stakeholders and the NRB for hearing in September
- **Regional Modeling** – Task Force is receiving our most current regional evaluation and modeling information – July TF meeting will include any major technical assessment update
- **Attainment Demonstration and Visibility Progress Targets**
– Regional effort is is addressing weight-of-evidence evaluation as part of overall attainment assessment – Air Program plans to discuss draft attainment plan strategy in September with Task Force